

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73184 of 2023

Arising Out of PS. Case No.-257 Year-2023 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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1. PRAKASH RAM Son of Shankar Ram R/o vill - Gangapur, P.S. - Belaon, Distt. - Kaimur at Bhabua
 2. Rakesh Kumar Son of Shankar Ram R/o vill - Gangapur, P.S. - Belaon, Distt. - Kaimur at Bhabua
 3. Mukesh Kumar Son of Shankar Ram R/o vill - Gangapur, P.S. - Belaon, Distt. - Kaimur at Bhabua
 4. Rahul Kumar Son of Shankar Ram R/o vill - Gangapur, P.S. - Belaon, Distt. - Kaimur at Bhabua

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. S.K Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners have prayed for bail in a case registered for the offence punishable under sections 8(C), 21(c), 22, 27(A), 29 of NDPS Act.

As per allegation in the FIR, on getting secret information police party proceeded towards place of occurrence, and apprehended four accused persons including the petitioners. On search from them, 40.340 grams heroine were recovered. .

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed



no offence. They have been falsely implicated in this Case. No local person was made as a witness of the seizure list rather seizure list witnesses are police personnel. There is complete violation of provision of Section 50 of the NDPS Act. The recovered article comes below the commercial quantity. Petitioners have got no criminal antecedent and languishing in judicial custody since 31.8.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail **after framing of charge**. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Spl. Judge, Kaimur at Bhabua in connection with Bhagwanpur (Belaon) P.S. Case No. 257 of 2023.

(Sunil Kumar Panwar, J)

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